

CHARLOTTE COUNTY PLANNING AND ZONING BOARD
REGULAR MEETING

Administration Center, 18500 Murdock Circle, Room 119, Port Charlotte, Florida

Board Members

Michael Gravesen, Chair
Paul Bigness, Vice-Chair
Stephen Vieira, Secretary
Don McCormick
Thomas P. Thornberry



District

District V
District III
District I
District II
District IV

AGENDA

REGULAR MEETING

July 12, 2021 at 1:30 P.M.

Call to Order

Roll Call

Approval of Minutes [June 14, 2021 Regular Meeting](#)

Announcements

NOTE: For each petition on the Agenda, there will be a twenty (20) minute time limit for applicant's presentations, a five (5) minute time limit for each citizen's presentation, and a five (5) minute time limit for applicant's response.

Charlotte County Board of County Commissioners does not discriminate on the basis of disability.

FM Sound Enhancement Units for the Hearing Impaired are available at the Front Security Desk, Building A of the Murdock Administration Complex. Anyone needing other reasonable accommodation or auxiliary aids and services please contact our office at 941.743.1381, TDD/TTY 941.743.1234, or by email to David.Lyles@CharlotteCountyFL.gov.

PETITIONS

1.) PFP-21-03-01 Quasi-judicial Commission District IV



Frank Tenteromano has requested Preliminary & Final Plat approval for a residential four-lot Minor Subdivision to be named North Casper. The site is 5.23± acres and located at 1157 Casper Street, in the Port Charlotte area.

Recommendation:

Community Development Department: Approval with conditions

2.) PP-21-04-11 Quasi-judicial Commission District II



Lennar Homes, LLC has requested Preliminary Plat approval to replat a subdivision to be named, Heritage Landing Phase II-B consisting of 338 single-family residential lots and 2 multi-family lots within the Heritage Landing Development of Regional Impact (DRI). The DRI contains 890.74± acres and is located northwest of Burnt Store Road and east of the Peace River, in portions of Sections 17, 19, and 20, Township 42 South, Range 23 East, in the Burnt Store area.

Recommendation:

Community Development Department: Approval with conditions

3.) Z-21-56-17 Quasi-Judicial Commission District I



An Ordinance pursuant to Section 125.66, Florida Statutes, amending the Charlotte County Zoning Atlas from Residential Single-family 3.5 (RSF-3.5) to Commercial Neighborhood (CN) for property located at 1009 Loveland Boulevard, in the Port Charlotte area, containing 0.74± acres; Commission District I; Petition No. Z-21-56-17; Applicant: Loveland 1009 LLC; providing an effective date.

Recommendation:

Community Development Department: Approval

4.) NOPC-20-34-24 Quasi-Judicial Commission District I



A Resolution pursuant to Section 380.06(7), Florida Statutes (F.S.) and Section 3-9-10.1, Development of Regional Impact (DRI) Development Order (DO) Amendment Process and Procedure under Chapter 3-9, Zoning, the County's Land Development Regulations, amending the Master Development Order (MDO) for the Babcock Ranch Community Master Development of Regional Impact (DRI), Resolution Numbers 2017-187 and 2018-077, to generally update to reflect current development plans, remove outdated information and completed conditions, and incorporate the results of the Master Traffic Study Update. Specific changes include the following: 1) revise "Whereas Clauses" by updating and removing outdated information; 2) amend "Findings of Fact and Conclusions of Law" to clarify the category of clubhouses and similar neighborhood amenities and to reflect the latest information; 3) remove all references to "DEO"; 4) revise Condition A.(1) under the Affordable Housing section to reflect the definition of workforce housing that was in effect at the time of the original development order approval, Condition A.(7) under the Affordable Housing section to clarify the parties that may agree to an alternative methodology, and Condition A.(13) under the Affordable Housing section in accordance with Section 125.01055, Florida Statutes; 5) revise Condition A.(4), Condition A.(20), Condition B.(3), Condition B.(4) and Condition B.(5) under the Stormwater Management and Flood Plains section to clarify where reports required by NPDES permits are to be maintained, reference the SWFWMD Conceptual ERP, to identify the District, rather than the Developer, for littoral zone maintenance and annual inspections, and to clarify who is responsible for regularly scheduled vacuum sweeping of streets and parking areas, and indicate what streets and parking areas will be regularly maintained; 6) revise the Transportation section by amending Condition B.(1)(a) to update horizon year from 2030 to 2040; revising Condition B.(1)(b) to reference "community capture rate" and update, consistent with the Master Traffic Study Update (MTSU); revising Condition B.(1)(c)-(e) to reflect changes, consistent with the MTSU; revising Conditions B.(2)(a) to be consistent with the MTSU and remove text that is no longer applicable or has been completed; revising Conditions B.(2)(a)2)a. and c. to be consistent with the MTSU; updating Conditions B.(2)(b)(1), (c), and (d) to be consistent with the MTSU and remove condition language that is no longer applicable; deleting Condition B.(5), as the condition has been completed; revising renumbered Condition B.(5) to clarify timing of when an external transit feasibility study will be provided, at the request of the County; revising renumbered Condition B.(6) to indicate locations of permanent traffic count stations installed at specific BRC ingress/egress points; deleting Condition B.(8), as it has been completed; revising Condition C.(1)(a) to clarify significantly impacted external road segments are shown on Exhibit "F"; updating Condition C.(1)(c) to be consistent with the MTSU; revising Condition C.(1)(f) to remove references to State Statutes that no longer exist; updating Condition C.(2)(c) to specify that access points are established in the MDO; deleting Condition C.(6)(d) as the State Statute referenced is no longer in effect, deleting Condition C.(7) regarding the Lee Road Agreement, as that agreement has been fulfilled and neither party has any further obligation to the other thereunder (refer to Paragraph 3 of the Babcock Ranch Memorandum of Understanding with Lee County dated September 23, 2008); 7) revise Condition A.(13) and Condition B.(2) under the Vegetation, Wildlife, and Wetlands section to clarify timing of conservation easements for existing agricultural uses outside of development areas and that conservation easements will only be recorded for on-site mitigation and not for off-site (State-owned lands) property, and to reflect currently documented listed species, as noted in the most up-to-date threatened and endangered species management plans; 8) Revise Condition A.(1) and Condition A.(9) under the Wastewater Management and Water Supply to reflect low volume plumbing fixture maximum flow volume of 1.28 gallons per flush for toilets, and to clarify locations for on-site wastewater treatment systems; 9) update Condition A.(1), Conditions B.(4) and (5), and Condition B.(7) under the Police and Fire section to clarify Developer or District responsibility and clarify definition of shell building, to reflect commitments that have been fulfilled for the Sheriff's Sub-Station and EMS vehicle, pursuant to Exhibit "D", and to clarify Developer or District responsibility; 10) revise Condition A, Condition B.(1) under the Hurricane Preparedness section to clarify the Developer's or District's responsibility and to revise language regarding building standards, as well as to clarify that District or POA will develop a hurricane preparation and shelter information program; 11) delete Condition B.(2) under the Hurricane

Preparedness section because it is required by Florida Building Code; 12) update Condition A.(5) under the Open Space, Parks, and Library section to clarify Developer's or District's responsibility and to clarify definition of shell building; 13) delete Condition B.(3) under the Open Space, Parks, and Library section regarding the mining lake, as all mining has now ceased; 14) revise Condition A.(2) and Condition A.(6) under the Energy section to clarify Developer's or District's responsibility regarding internal transit options, to address water closet water usage limits; 15) delete Conditions B.(4) and (5) under the Energy section related to alternative energy or energy efficient features, as builders provide these options; 16) revise Condition A. under the Mining Operations section to reflect the completion of mining; 17) delete Condition H. under the General Provisions section regarding certified copies of the Development Order, as State Statutes have been amended and the referenced Subsection is no longer in effect; 18) update Buildout and Expiration Dates of this Development Order (DO) per Governor's Executive Orders; 19) revise this DO for internal consistency and to reflect updates to Florida Statutes, as applicable; 20) update notes within Exhibit B Master Concept Plan (Map H) to be consistent with approved entitlements; 21) update Exhibit D Updated Summary of Land Dedications and Facilities Construction to reflect land dedication and shell building requirements; and 22) update Exhibit F and its title to be consistent with the MTSU; for property located east of S.R. 31, south of C.R. 74 (Bermont Road), west of the Glades County line, and north of the Lee County line, containing 13,630± acres, in the East County area; Commission District I, Petition No. NOPC-20-34-24; Applicant: Babcock Property Holdings, LLC; providing an effective date.

Recommendation:

Community Development Department: Approval

5.) DRI-20-46-23

Quasi-Judicial

Commission District I



A Resolution pursuant to Section 380.06, Florida Statutes (F.S.), and Section 3-9-10.1, Development of Regional Impact (DRI) Development Order (DO) Amendment Process and Procedure under Chapter 3-9, Zoning, the County's Land Development Regulations, the Charlotte County Planning and Zoning Board is holding a public hearing to consider a request for approval of an incremental development order for the Babcock Ranch Community, called Babcock Ranch Community Increment 2 Development Order (DO); for property generally located east of State Road 31, south of County Road 74 (Bermont Road), west of the Glades County line, and north of the Lee County line, containing 4,021± acres, in the East County area; Commission District I, Petition No. DRI-20-46-23; Applicant: Babcock Property Holdings, LLC, providing an effective date.

Recommendation:

Community Development Department: Approval

6.) Revisions to the Murdock Village Redevelopment Agency's Community Redevelopment Plan

Legislative

Commission District IV



A Resolution of the Board of County Commissioners of Charlotte County, Florida, pursuant to Chapter 163, Part III, Florida Statutes (the "Community Redevelopment Act"), particularly Section 163.361, Florida Statutes, and other applicable provisions of law, approving an amendment to Section 5.05 of the Murdock Village Redevelopment Agency's Community Redevelopment Plan relating to the number of dwelling units, vested rights and concurrency; for properties located south of US 41(Tamiami Trail), north of SR 776 (El Jobean Road), west of the Auburn Waterway, and east of the Crestwood Waterway, containing 1,197.8± acres; providing for findings; providing an effective date; Applicant: Charlotte County Board of County Commissioners.

Recommendation:

Community Development Department: Approval

7.) TLDR-21-02 Revisions to the ECAP Code Legislative Commission District II



An Ordinance of the Board of County Commissioners of Charlotte County, Florida, amending Charlotte County Code Chapter 3-9: Zoning, Article II: District Regulations, by revising subsection (g) Conditional Uses and Structures under Section 3-9-48, Enterprise Charlotte Airport Park (ECAP) to add Truck Stops as Conditional uses and structures; providing for additional development standards for such uses; providing for conflict with other ordinances; providing for severability; and providing for an effective date. Applicant: RaceTrac Petroleum, Inc.

Recommendation:

Community Development Department: Approval

Selection of Planning and Zoning Board member for Affordable Housing Advisory Committee.

ADJOURNMENT